

REMARKS

This Amendment is in response to an Office Action mailed August 11, 2008. In the Office Action, claims 1-3, 18-20, 22-25 and 28-35 were rejected under 35 U.S.C. §103. Claims 1, 19 and 28 have been amended. Claim 36 has been added.

Reconsideration of the claims is respectfully requested.

Examiner's Interview

Applicant respectfully requests the Examiner to contact the undersigned attorney to further discuss the distinctions between the cited references and the claimed invention. Applicant believes that such discussion will facilitate prosecution of the subject application and avoid the filing of an appeal in the event that the subject rejection is maintained.

Rejection Under 35 U.S.C. §102

Claims 1-3, 18-20, 22-25 and 28-35 were rejected under 35 U.S.C. §103(a) as being anticipated by Shimizu (U.S. Patent No. 6,609,977) in view of Witt (U.S. Publication No. 2004/0109005). Applicant respectfully traverses the rejection because a *prima facie* case of obviousness has not been established.

As the Examiner is aware, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. *See MPEP §2143; see also In Re Fine, 873 F. 2d 1071, 5 U.S.P.Q.2D 1596 (Fed. Cir. 1988).*

Herein, Shimizu teaches the use of a single processor (GA processor 114) that is controlled by main processor (110) to decode images and audio with the assistance of a video encoder (120) and audio codec (122). *See col., 6, line 53 – col. 7, line 3 of Shimizu.* Witt describes a CPU with I-Picture macro-block decoding capability. *See paragraph [0045] of Witt.* However, the combination of the teachings of CPU decoding capability from Witt with the architecture of Shimizu does not render the claimed invention obvious. The reason is that, as described below, the decoding functionality, even if implemented within the first processor (main processor 110), could not be utilized to decode the first stream data as set forth in independent claims 1 and 28.

With respect to claims 1 and 28, Applicant has previously added additional limitations to clarify that the contents that the first stream data includes video and audio. As set forth in the Office Action, the Examiner still erroneously construes the first stream data as 3D graphics and audio commands that are transmitted from the main processor (110). *See page 3 of the Office Action.* The 3D graphics and audio commands do not include video and audio. In fact, upon review of the specification, 3D graphics and audio

commands appear to be command data and there is no explicit teaching as to what data, such as the user inputs from hand controller(s) (52), is used to generate the 3D graphics and audio commands. *See col. 6, lines 56-58 of Shimizu.*

Based on this contradiction alone, the Examiner should withdraw the outstanding §103(a) rejection as applied to independent claims 1 and 28 as well as those claims dependent thereon.

Moreover, the “first processor” is construed as being equivalent to the “main processor 110” of Shimizu. The main processor 110 does not and cannot decode the first stream data (3D graphics and audio commands) because these commands are not *received by the first processor over the communication bus* (i.e., the bus between main processor 110 and graphics and audio processor 114). *Emphasis added.* Rather, the 3D graphics and audio commands are generated and transmitted *from* the first processor (main processor 110) *to* the second processor (graphics and audio processor 114), which processes these commands to generate display images and sound. *See col. 6, line 64 to col. 7, line 3 of Shimizu.* Hence, the first processor does not and cannot be modified to “decode” the 3D graphics and audio commands as claimed.

Hence, in light of the amendments, Applicant respectfully requests that the Examiner withdraw the §103(a) rejection as applied to independent claims 1 and 28.

Applicant respectfully submits that a *prima facie* case of obviousness has not been established because the combined teachings of the cited references fail to describe or suggest all of the claim limitations for dependent claims 2-3, 18-20, 22-25 and 29-35. However, based on the dependency of these claims on independent claims 1 and 28, believed by Applicant to be in condition for allowance, no further discussion as to the grounds for traverse is warranted. Applicant reserves the right to present such arguments in an Appeal is warranted.

Withdrawal of the §103(a) rejection as applied to claims 1-3, 18-20, 22-25 and 28-35 is respectfully requested.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Dated: November 11, 2008

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